

Notice of Allowability

Application No.

10/696,121

Examiner

Jerry Redman

Applicant(s)

BOURQUE ET AL.

Art Unit

3634

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to papers filed 2/17/2006.
2. ☒ The allowed claim(s) is/are 1-3, 5, 6, and 10 renumbered as 1-6 respectively.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 10/29/2003
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date attached hereto.
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

The applicant's information disclosure statement dated 10/29/2003 has been considered and a copy is herein attached.

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

In claim 1, lines 1-2, "for a motor vehicle, the sliding panel assembly" has been deleted;

In line 11, "configured to define" has been changed to –defines--;

In line 14, "configured to permit" has been changed to –permits--;

In lines 16-17, "configured as" has been changed to –comprising--;

In line 18, "configured to contact" has been changed to –contacts—and

In line 18, "the" has been changed to –a--;

Claim 4 has been cancelled;

In claim 5, line 1, "4" has been changed to –1--;

Claims 7-9 have been cancelled;

In claim 10, lines 1-2, "for mounting to a backlight opening in a motor vehicle sliding window assembly" has been deleted;

In line 8, "configured to move" has been changed to –moves--;

In lines 9-10, "being configured to move" has been changed to –moves--;

In line 17, "configured to permit" has been changed to –permits--;

In line 20, "configured to contact" has been changed to –contacts--; and

In line 21, "the" has been changed to –a--.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Mollon on 3/1/2006.

Claims 1-3, 5, 6, and 10 renumbered as 1-6 respectively are allowable.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. U.S. patent to Mathews discloses a window assembly having a drainage similar to that of the applicant's invention. Great Britain patent to Pratt discloses an end cap drainage element similar to that of the applicant's invention.


The following is an examiner's statement of reasons for allowance: the recitation of a sliding window/panel assembly comprising a stationary panel, a guide rail coupled to the stationary panel, a moveable panel/window slidingly received within the guide rail, an end cap coupled with the guide rail and having a bottom wall and two side walls

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which form a stop for the path of the panel, a drain formed in the bottom wall of the cap which permits drainage from the assembly, and a locator coupled with the end cap which extends transversely therefrom and contacts a receptacle of a motor vehicle is seen as an unobvious improvement over the art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication should be directed to Jerry Redman at telephone number 571-272-6835.



Jerry Redman
Primary Examiner